

“(A) consider, when determining whether to grant an exclusion with respect to a covered article, if the covered article is produced in the United States and is of sufficient quality, available in sufficient quantities, and available on a reasonable time-frame;

“(B) ensure that an exclusion granted with respect to a covered article is available to any person that imports the covered article; and

“(C) not disclose business proprietary information.

“(3) PUBLICATION OF PROCEDURES.—The International Trade Commission shall publish in the Federal Register and make available on a publicly available internet website of the Commission a description of the procedures to be followed by a person requesting an exclusion under paragraph (1) with respect to a covered article.

“(h) REPORT BY INTERNATIONAL TRADE COMMISSION.—Not later than 18 months after the President takes action under subsection (c) to adjust imports of a covered article, the International Trade Commission shall submit to Congress a report assessing the effects of the action on—

“(1) the industry to which the covered article relates; and

“(2) the overall economy of the United States.”.

(f) CONFORMING AMENDMENTS.—Section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862), as amended by this section, is further amended—

(1) in the first subsection (d), by striking “the Secretary and the President” each place it appears and inserting “the Secretary of Defense, the Secretary of Commerce, and the President”;

(2) by redesignating the second subsection (d) as subsection (e); and

(3) in paragraph (1) of subsection (e), as redesignated by paragraph (2), by striking “the Secretary” and inserting “the Secretary of Defense”.

(g) EFFECTIVE DATE.—Except as provided by subsection (h), the amendments made by this section shall apply with respect to any proposed action under section 232(c) of the Trade Expansion Act of 1962 (19 U.S.C. 1862(c)) on or after the date of the enactment of this Act.

SA 1631. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II of division C, add the following:

SEC. 3219L. BLOCKING DEADLY FENTANYL IMPORTS.

(a) SHORT TITLE.—This section may be cited as the “Blocking Deadly Fentanyl Imports Act”.

(b) DEFINITIONS.—Section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “in which”;

(B) in subparagraph (A), by inserting “in which” before “1,000”;

(C) in subparagraph (B)—

(i) by inserting “in which” before “1,000”; and

(ii) by striking “or” at the end;

(D) in subparagraph (C)—

(i) by inserting “in which” before “5,000”; and

(ii) by inserting “or” after the semicolon; and

(E) by adding at the end the following:

“(D) that is a significant source of illicit synthetic Aopioids significantly affecting the United States;”; and

(2) in paragraph (4)—

(A) in subparagraph (C), by striking “and” at the end; and

(B) by adding at the end the following:

“(E) assistance that furthers the objectives set forth in paragraphs (1) through (4) of section 664(b) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2151n-2(b));

“(F) assistance to combat trafficking authorized under the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7101 et seq.); and

“(G) global health assistance authorized under sections 104 through 104C of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b through 22 U.S.C. 2151b-4).”.

(c) INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)) is amended by adding at the end the following:

“(10) A separate section that contains the following:

“(A) An identification of the countries, to the extent feasible, that are the most significant sources of illicit fentanyl and fentanyl analogues significantly affecting the United States during the preceding calendar year.

“(B) A description of the extent to which each country identified pursuant to subparagraph (A) has cooperated with the United States to prevent the articles or chemicals described in subparagraph (A) from being exported from such country to the United States.

“(C) A description of whether each country identified pursuant to subparagraph (A) has adopted and utilizes scheduling or other procedures for illicit drugs that are similar in effect to the procedures authorized under title II of the Controlled Substances Act (21 U.S.C. 811 et seq.) for adding drugs and other substances to the controlled substances schedules;

“(D) A description of whether each country identified pursuant to subparagraph (A) is following steps to prosecute individuals involved in the illicit manufacture or distribution of controlled substance analogues (as defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32))); and

“(E) A description of whether each country identified pursuant to subparagraph (A) requires the registration of tableting machines and encapsulating machines or other measures similar in effect to the registration requirements set forth in part 1310 of title 21, Code of Federal Regulations, and has not made good faith efforts, in the opinion of the Secretary, to improve regulation of tableting machines and encapsulating machines.”.

(d) WITHHOLDING OF BILATERAL AND MULTILATERAL ASSISTANCE.—

(1) IN GENERAL.—Section 490(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j(a)) is amended—

(A) in paragraph (1), by striking “or country identified pursuant to clause (i) or (ii) of section 489(a)(8)(A) of this Act” and inserting “country identified pursuant to section 489(a)(8)(A), or country thrice identified during a 5-year period pursuant to section 489(a)(10)(A)”; and

(B) in paragraph (2), by striking “or major drug-transit country (as determined under subsection (h)) or country identified pursuant to clause (i) or (ii) of section 489(a)(8)(A) of this Act” and inserting “, major drug-transit country, country identified pursuant to section 489(a)(8)(A), or country thrice identified during a 5-year period pursuant to section 489(a)(10)(A)”.’.

(2) DESIGNATION OF ILLICIT FENTANYL COUNTRIES WITHOUT SCHEDULING PROCEDURES.—Section 706(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j-1(2)) is amended—

(A) in the matter preceding subparagraph (A), by striking “also”;

(B) in subparagraph (A)(ii), by striking “and” at the end;

(C) by redesignating subparagraph (B) as subparagraph (D);

(D) by inserting after subparagraph (A) the following:

“(B) designate each country, if any, identified under section 489(a)(10) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)(10)) that has failed to adopt and utilize scheduling procedures for illicit drugs that are comparable to the procedures authorized under title II of the Controlled Substances Act (21 U.S.C. 811 et seq.) for adding drugs and other substances to the controlled substances schedules;”; and

(E) in subparagraph (D), as redesignated, by striking “so designated” and inserting “designated under subparagraph (A), (B), or (C)”.’.

(3) DESIGNATION OF ILLICIT FENTANYL COUNTRIES WITHOUT ABILITY TO PROSECUTE CRIMINALS FOR THE MANUFACTURE OR DISTRIBUTION OF FENTANYL ANALOGUES.—Section 706(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j-1(2)), as amended by paragraph (2), is further amended by inserting after subparagraph (B) the following:

“(C) designate each country, if any, identified under section 489(a)(10) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)(10)) that has not taken significant steps to prosecute individuals involved in the illicit manufacture or distribution of controlled substance analogues (as defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32)));”.

(4) LIMITATION ON ASSISTANCE FOR DESIGNATED COUNTRIES.—Section 706(3) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j-1(3)) is amended by striking “also designated under paragraph (2) in the report” and inserting “designated in the report under paragraph (2)(A) or thrice designated during a 5-year period in the report under subparagraph (B) or (C) of paragraph (2)”.’.

(5) EXCEPTIONS TO THE LIMITATION ON ASSISTANCE.—Section 706(5) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j-1(5)) is amended—

(A) by redesignating subparagraph (C) as subparagraph (F);

(B) by inserting after subparagraph (B) the following:

“(C) Notwithstanding paragraph (3), assistance to promote democracy (as described in section 481(e)(4)(E) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(4)(E))) shall be provided to countries identified in a report under paragraph (1) and designated under subparagraph (B) or (C) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph.

“(D) Notwithstanding paragraph (3), assistance to combat trafficking (as described in section 481(e)(4)(F) of such Act) shall be provided to countries identified in a report

under paragraph (1) and designated under subparagraph (B) or (C) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph.

“(E) Notwithstanding paragraph (3), global health assistance (as described in section 481(e)(4)(G) of such Act) shall be provided to countries identified in a report under paragraph (1) and designated under subparagraph (B) or (C) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph”; and

(C) in subparagraph (F), as redesignated, by striking “section clause (i) or (ii) of” and inserting “clause (i) or (ii) of section”.

(e) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

SA 1632. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II of division C, add the following:

SEC. 3236. SUFFICIENT RESOURCES FOR THE UNITED STATES MILITARY.

(a) **FINDINGS.**—Congress finds the following:

(1) The United States faces numerous national security threats from around the world, including from the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic Republic of Korea, and international terrorist and crime networks aided by United States enemies, such as the Republic of Cuba and the Bolivarian Republic of Venezuela.

(2) The United States is engaged in a new Cold War with the People's Republic of China, which is—

(A) building up its military to defeat the United States;

(B) stealing United States intellectual property and jobs;

(C) harassing neighboring Asian countries and United States allies and partners;

(D) committing genocide against the Uyghurs; and

(E) denying basic rights to the people of Hong Kong.

(3) The People's Republic of China is focused on world domination through oppression and communist rule.

(4) According to prominent research institutions, including the Center for Strategic and International Studies and the Stockholm International Peace Research Institute, the Chinese Communist Party has increased its defense spending more than 700 percent during the last decade, with an additional 6.8 percent increase anticipated in this fiscal year.

(5) Security and foreign policy experts widely acknowledge that—

(A) the People's Republic of China is not forthcoming or transparent with information related to military spending; and

(B) China's military spending may be considerably higher than its reported figures.

(6) The National Defense Strategy Commission, in its report, *Providing for the Common Defense: The Assessment and Recommendation of the States*, recommended that “Congress increase the base defense budget at an average rate of three to five percent above inflation through the Future Years Defense Program and perhaps beyond”.

(7) When considering the inflation crisis he has created, President Biden's proposed defense budget would represent a cut to spending, despite—

(A) new and mounting threats to United States national security and to our allies; and

(B) the need for sufficient military support to deter our enemies and maintain the most lethal fighting force in the world.

(8) President Biden's proposed budget request includes \$715,000,000,000 for the Department of Defense, which is well below the funding needed to keep pace with inflation, while the President's nondefense discretionary spending request is \$769,400,000,000, which represents an increase of 15.9 percent compared to the current fiscal year.

(9) In the Department of Defense's fiscal year 2021 Future Years Defense Program, the projected request for the Department of Defense in fiscal year 2022 was targeted at \$722,000,000,000, which is \$7,000,000,000 higher than President Biden's actual defense budget request for fiscal year 2022.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) President Biden's defense budget—

(A) does not provide adequate resources to deter or defeat United States enemies;

(B) does not even keep up with inflation; and

(C) does not restore our military readiness that was diminished by budget cuts and the sequester under President Barack Obama, which arbitrarily reduced defense spending across the board;

(2) the lack of sufficient funding will require the Department of Defense to choose between—

(A) providing for United States servicemembers' compensation and benefits;

(B) providing for United States forces' modernization and readiness needs; and

(C) any other priorities that the Biden Administration chooses to pursue;

(3) President Biden's decision to reduce defense spending—

(A) harms the United States's long-term strategic competition against the People's Republic of China and other adversaries; and

(B) weakens our standing on the global stage; and

(4) the Biden Administration should work with Congress to ensure that the United States military has all the necessary resources to build and sustain the overwhelming military might that the United States expects and deserves.

SA 1633. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division E, add the following:

SEC. 5311. REPORT ON FOREIGN INVESTMENT IN PHARMACEUTICAL INDUSTRY.

(a) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Federal Trade Commission, in consultation with the Secretary of the Treasury acting through the Committee on Foreign Investment in the United States (in this section referred to as the “Committee”), shall submit to the appropriate congressional committees, the Secretary of Health and Human Services, and the Commissioner of Food and Drugs, a report on foreign investment in the pharmaceutical industry of the United States.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) An assessment of—

(A) the supply chain of the pharmaceutical industry of the United States and the effect of concentration and reliance on foreign manufacturing within that industry;

(B) the effect of foreign investment in the pharmaceutical industry of the United States on domestic capacity to produce drugs and active and inactive ingredients of drugs; and

(C) the effect of foreign investment in technologies or other products for sequencing or storage of DNA, including genome and exome analysis, in the United States, including the effect of such investment on the capacity to sequence or store DNA in the United States.

(2) The number of reviews and investigations conducted by the Committee, in each of the 10 fiscal years preceding the year in which the study is conducted, with respect to covered transactions (as defined in section 721(a) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)))—

(A) in the pharmaceutical industry of the United States; or

(B) relating to the sequencing or storage of DNA in the United States.

(3) A short description of each such review or investigation, including whether the transaction was approved or prohibited.

(c) **AUTHORITY.**—The Federal Trade Commission shall have authority under section 6 of the Federal Trade Commission Act (15 U.S.C. 46) to conduct the studies required to prepare the report required by subsection (a).

(d) **PUBLICATION.**—The Federal Trade Commission shall publish an unclassified summary of the report required by subsection (a) on a publicly available internet website of the Commission.

(e) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Health, Education, Labor, and Pensions, the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(2) the Committee on Financial Services, the Committee on Energy and Commerce, the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 1634. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a